IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 2721 of 2006

HEMCHAND

V/S

SANT KUMAR & ANR.

Mr. MS PUROHIT, for the appellant / petitioner

Mr. RAJEEV PUROHIT for Mr. B.L. PUROHIT, for the respondent

Date of Order : 29.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

Perused the impugned order whereby the learned trial court has declined the petitioner's application for summoning the document on the ground of delay. In my view, in the totality of circumstances, no sufficient ground is made out for interference with the impugned order in the writ jurisdiction. The writ petition is, therefore, dismissed summarily. However, it will be open to the petitioner to assail the correctness, legality or propriety of the impugned order by setting forth appropriate ground in appeal, if necessity so arises, and if the petitioner so stands advised.

(N P GUPTA),J.

/sushil/